

1 J. Stephen Peek, Esq. (NV Bar #1758)  
2 Jerry M. Snyder, Esq. (NV Bar #6830)  
3 Adam G. Lang, Esq. (NV Bar #10117)  
4 Shane M. Biornstad, Esq. (NV Bar #9972)  
5 HOLLAND & HART LLP  
6 5441 Kietzke Lane, Second Floor  
7 Reno, Nevada 89511  
8 Telephone: (775) 327-3000  
9 Facsimile: (775) 786-6179  
10 speek@hollandhart.com; jsnyder@hollandhart.com;  
11 alang@hollandhart.com; sbiornstad@hollandhart.com

12 Reid H. Weingarten, Esq. (D.C. Bar #365893) (Admitted Pro Hac Vice June 15, 2007)  
13 Brian M. Heberlig, Esq. (D.C. Bar #455381) (Admitted Pro Hac Vice June 15, 2007)  
14 Robert A. Ayers, Esq. (D.C. Bar #488284) (Admitted Pro Hac Vice June 15, 2007)  
15 Steptoe & Johnson LLP  
16 1330 Connecticut Avenue, N.W.  
17 Washington, D.C. 20036-1795  
18 Telephone: (202) 429-3000

19 Attorneys for eTreppid Technologies, LLC and Warren Trepp

Holland & Hart LLP  
5441 Kietzke Lane, Second Floor  
Reno, Nevada 89511

15 **UNITED STATES DISTRICT COURT**  
16 **DISTRICT OF NEVADA**

17 ETREPPID TECHNOLOGIES, LLC,

18 Plaintiffs,

19 Case No. 3:06-CV-00056-BES-VPC  
20 Base File

21 3:06-cv-00145-PMP-VPC

22 DENNIS MONTGOMERY, BRENDA  
23 MONTGOMERY, THE MONTGOMERY  
24 FAMILY TRUST, EDRA BLIXSETH,  
25 OPSPRING, INC., AND BLXWARE, INC.,

26 **REQUEST FOR ENTRY OF  
27 JUDGMENT BY CONFESSION**

28 Defendants.

29 \_\_\_\_\_ /  
30  
31 eTreppid Technologies, L.L.C., Friendly Capital Partners, L.P., Warren Trepp and Jale  
32 Trepp (hereinafter referred to collectively as the "eTreppid Parties") hereby file their Request for  
33 Entry of Judgment by Confession. This Request is supported by the following points and  
34 authorities, and all papers and pleadings filed herein.

## **POINTS AND AUTHORITIES**

Under the terms of a September 16, 2008 Settlement Agreement between Warren Trepp, eTreppid Technologies, and Friendly Capital Partners, (the “eTreppid Parties”) on one hand, and Dennis Montgomery, Brenda Montgomery, the Montgomery Family Trust, Edra Blixseth, Opspring, Inc., and Blxware, Inc. (the “Blixseth Parties”), the Blixseth Parties were to pay the sum of \$1,500,000.00 to Friendly Capital Partners on or before December 8, 2009. The Parties agreed that, if the Blixseth Parties failed to make this payment, the eTreppid Parties would be entitled to enter three separate Confessions of Judgment:

- A federal court Confession of Judgment against the Blixseth Parties and in favor of Warren Trepp in the amount of \$5,000,000.00 (the “Trepp Judgment”),
- A federal court Confession of Judgment against the Blixseth Parties and in favor of eTreppid in the amount of \$20,000,000.00, (the “eTreppid Judgment”) and
- A Nevada state court Confession of Judgment against the Blixseth Parties and in favor of Friendly Capital Partners in the amount of \$1,500,000.00 (the “FCP Judgment”).

The Blixseth Parties failed to make the required payment of \$1,500,000.00 on or before February 8, 2008. Accordingly, on December 9, 2008, eTreppid filed the Trepp Judgment (Doc. No. 893) and the eTreppid Judgment (Doc. No. 894) in this Court. The eTreppid Parties hereby

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1 request that pursuant to NRS 17.090 through 17.110 and the terms of these Confessions of  
2 Judgment, this Court enter the eTreppid Judgment (Doc. No. 894) against the Blixseth Parties.

3 Dated: December 10, 2008.  
4

5 /s/  
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7 J. Stephen Peek, Esq. (NV Bar #1758)  
8 Jerry M. Snyder, Esq. (NV Bar #6830)  
9 Adam G. Lang, Esq. (NV Bar #10117)  
10 Shane M. Bjornstad, Esq. (NV Bar #9972)  
11 HOLLAND & HART LLP  
12 5441 Kietzke Lane, Second Floor  
13 Reno, Nevada 89511  
14 Telephone: (775) 327-3000  
15 Facsimile: (775) 786-6179

16 Reid H. Weingarten, Esq. (D.C. Bar #365893)  
17 Brian M. Heberlig, Esq. (D.C. Bar #455381)  
18 Robert A. Ayers, Esq. (D.C. Bar #488284)  
19 Steptoe & Johnson LLP  
20 1330 Connecticut Avenue, N.W.  
21 Washington, D.C. 20036-1795  
22 Telephone: (202) 429-3000  
23 Facsimile: (202) 429-3902

24 *Attorneys for Plaintiff and Cross-Defendant*  
25 *eTreppid Technologies, L.L.C. and*  
26 *Cross-Defendant Warren Trepp*

27 Holland & Hart LLP  
28 5441 Kietzke Lane, Second Floor  
29 Reno, Nevada 89511

## **PROOF OF SERVICE**

I, Cynthia L. Kelb, declare:

I am employed in the **City of Reno, County of Washoe, State of Nevada**, by the law offices of Holland & Hart LLP. My business address is: **5441 Kietzke Lane, Second Floor, Reno, Nevada 89511**. I am over the age of 18 years and not a party to this action. I am readily familiar with Holland & Hart LLP's practice for collection of mail, delivery of its hand-deliveries and their process of faxes.

On December 10, 2008, I caused the foregoing **REQUEST FOR ENTRY OF JUDGMENT BY CONFESSION** to be:

X filed electronically with the U.S. District Court and therefore the court's computer system has electronically delivered a copy of the foregoing document to the following person(s) at the following e-mail addresses:

[mgunderson@gundersonlaw.com](mailto:mgunderson@gundersonlaw.com)  
Gunderson Law Firm  
Mark H. Gunderson, Esq.  
3895 Warren Way  
Reno, Nevada 89509  
*Fax No. 775/829-1226*

[rsunshine@linerlaw.com](mailto:rsunshine@linerlaw.com);  
[egarofalo@linerlaw.com](mailto:egarofalo@linerlaw.com)  
Randall J. Sunshine, Esq.  
Ellyn S. Garofalo, Esq.  
Liner Yankelevitz Sunshine & Regenstreif, LLP  
1100 Glendon Avenue, 14<sup>th</sup> Floor  
Los Angeles, CA 90024-3503  
*Fax 310/500-3501*

Carlotta.wells@usdoj.gov  
Carlotta P. Wells, Esq.  
Senior Trial Counsel  
Federal Programs Branch  
Civil Division – Room 7150  
U.S. Department of Justice  
20 Massachusetts Ave., NW  
P.O. Box 883  
Washington, DC 20044  
*Fax No. 202/616-8470*

Raphael.gomez@usdoj.gov  
Raphael O. Gomez, Esq.  
Senior Trial Counsel  
Federal Programs Branch  
Civil Division – Room 6144  
U.S. Department of Justice  
20 Massachusetts Ave., N.W.  
P.O. Box 883  
Washington, DC 20044  
*Fax 202/616-8470*

[Greg.addington@usdoj.gov](mailto:Greg.addington@usdoj.gov)  
Greg Addington, Esq.  
Assistant U.S. Attorney  
100 W. Liberty Street, Suite 600  
Reno, NV 89501  
*Fax No. 784-5181*

[bpeck@lrlaw.com](mailto:bpeck@lrlaw.com)  
Bridget Robb Peck, Esq.  
Lewis and Roca, LLP  
50 W. Liberty Street, Ste. 410  
Reno, Nevada 89501  
*Fax No.* 775-823-2929

1        [heather.ristau@bingham.com](mailto:heather.ristau@bingham.com);  
2        [roland.tellis@bingham.com](mailto:roland.tellis@bingham.com);  
3        [marshall.grossman@bingham.com](mailto:marshall.grossman@bingham.com)  
4        Heather Ristau, Esq.  
5        Roland Tellis, Esq.  
6        Marshall B. Grossman, Esq.  
7        Bingham McCutchen LLP  
8        The Water Garden  
9        1620 26<sup>th</sup> Street, 4<sup>th</sup> Floor, North Tower  
10      Santa Monica, CA 90404  
11      *Fax No. 310-907-2000*

1        [brohde@rohdelaw.com](mailto:brohde@rohdelaw.com)  
2        Robert E. Rohde, Esq.  
3        Rohde & Van Kampen  
4        1001 Fourth Avenue, Suite 4050  
5        Seattle, Washington 98154  
6        *Fax No. (206) 405-2825*

7  
8        I declare under penalty of perjury under the laws of the United States of America that the  
9        foregoing is true and correct, and that this declaration was executed on December 10, 2008.

10      \_\_\_\_\_ /s/  
11      Cynthia L. Kelb

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27  
28  
Holland & Hart LLP  
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Reno, Nevada 89511